

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PFIZER INC.

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, and
ALEX M. AZAR II, in his official capacity
as Secretary of Health and Human Services, and
UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES OFFICE OF
INSPECTOR GENERAL, and
CHRISTI A. GRIMM, in her official capacity as
Acting Inspector General in the Office of Inspector
General for the U.S. Department of Health and
Human Services,

Defendants.

Case No. 1:20-cv-4920-MKV

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that upon the accompanying memorandum of law, Plaintiff Pfizer, Inc. hereby moves this Court before the Honorable Mary Kay Vyskocil, United States District Judge at the United States Courthouse for the Southern District of New York, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting summary judgment in Plaintiff's favor on its claims under the Declaratory Judgment Act (28 U.S.C. § 2201) (Counts I, II, and III) and the Administrative Procedures Act (5 U.S.C. § 702) (Count IV), and granting such other relief as the Court may deem just and proper.

Dated: October 16, 2020

Respectfully submitted,

/s/ Joan McPhee

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